

SN 10/723,073
Docket No. S-100,587
In Response to Office Action dated September 9, 2005

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REMARKS

Examiner has rejected Claims 1,3-5, 7-18 based on 35 U.S.C. 103(a) obviousness rejection as being unpatentable over [Lee et al., sic] Brown (US# 6,591, 671) in view of Proctor et al. (US# 6,054,925). Applicants respectfully traverse these rejections.

As previously noted in both the response to Examiners first office action filed March 21, 2005, and again in response to Examiners final office action date June 30, 2005, applicants again note that the claims are all limited to "passive" components. As defined by applicants at page 3, lines 23-25, the word "passive" is limited "to circuit components that need no power source (power supply or battery) to operate and that are not semi-conductor components (components requiring a change of state like bistables, transistors, memory devices, and diodes).

Referring to Brown Figure 5 and explanation of Figure 5 in Column 18, Brown discloses transponder units that by applicant's definition are NOT passive. While no battery or other primary power supply exists within the transponder units taught in Brown, a power supply does in fact exist because the transponder in Brown creates a power source by rectifying the RF energy from the incoming transmitter (112) signal through power monitor (520) and rectifier (504) in order to power the semi-conductive circuits (506, 508, and 510) that exist within antenna (transponder) (500) and, thus, do not meet applicants definition of passive.

As Examiner has correctly pointed out, Brown does NOT teach a network consisting only of passive components selected from the group consisting only of resistors, conductors, capacitors, and connecting conductors. This is because Brown teaches a "pseudo" power source, as once the RF energy in described in Brown is converted to electricity, the electricity is then used to power semi-conductive circuits (refer to Brown figures 5, 11, 12, 13, and 14). Note that all these figures clearly show normal notation for transistors or integrated circuit chips that are microprocessors (and, thus, active semi-conductive devices).

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Therefore, Applicants assert that Brown in view of Proctor et al. does not teach or suggest the use of purely passive components that do not require a power source for operation. Applicants again stress that the transponder taught in Applicant's present invention uses the reflectance of the signal from the base station to transmit data without requiring semi-conductor components.

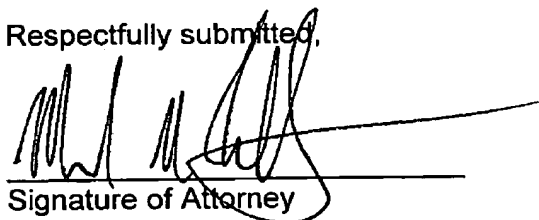
Pending Claims 3-5 and 7-18 are all dependent on Claim 1, thus, Applicants submit that as Claim 1 is now distinguished from Examiner's cited prior art and therefore, non-obvious and allowable, and that all dependent claims are now allowable as well. Further, as Brown uses a power source of rectified RF energy within the transponder, there is no teaching or suggestion to use a transponder with no power source as Applicant has done, relying merely on reflectance. Therefore, the Examiner is requested to allow Claims 1, 3-5, and 7-18 and to pass this case to issue.

Applicants' attorney would be pleased to discuss any of the issues in this case with the Examiner if the Examiner considers such a discussion would assist in placing the case in condition for allowance.

Date: 9/28/2005

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Respectfully submitted,



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